



PUBLIC NOTICE

Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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DA 06-2476
December 6, 2006

**COMMENTS INVITED ON APPLICATION OF CLEARTEL
TELECOMMUNICATIONS, INC. TO DISCONTINUE DOMESTIC
TELECOMMUNICATIONS SERVICES**

WC Docket No. 06-213
Comp. Pol. File No. 771

Comments Due: December 20, 2006

Section 214 Application

Applicant: Cleartel Telecommunications, Inc.

On November 6, 2006, Cleartel Telecommunications, Inc. (Cleartel or Applicant), located at 2855 South Congress, Delray Beach, Florida 33445, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority to the extent necessary, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain telecommunications services in Connecticut and Ohio.

Cleartel indicates that it currently provides local exchange, intrastate interexchange, and interstate interexchange services to approximately 160 residential and small business customers in Connecticut, and approximately 300 residential and small business customers in Ohio. Cleartel states that it acquired the affected customers in Connecticut as part of its acquisition of certain assets of Essex Communications, Inc. Similarly, Cleartel states that its customers in Ohio were acquired as part of its purchase of certain assets of Now Communications, Inc. Cleartel asserts that it did not have customers in either state prior to these acquisitions. Cleartel indicates that it serves customers as a reseller via the underlying network of the respective incumbent local exchange carrier, The Southern New England Telephone Company d/b/a AT&T Connecticut in Connecticut, and The Ohio Bell Telephone Company d/b/a AT&T Ohio in Ohio. Cleartel maintains, however, that its customer bases in Connecticut and Ohio have dwindled to the point it is no longer economically viable to continue providing services in these states. Accordingly, Cleartel states that it plans to discontinue service on January 12, 2007 to customers in Connecticut, and January 16, 2007 to customers in Ohio, or as soon thereafter as the necessary governmental approval can be obtained. Cleartel indicates that it provided notice via U.S. Postal Service first class mail to customers in Connecticut on October 10, 2006, and to its customers in Ohio on October 18, 2006, in accordance with the requirements of the Commission's rules. In addition, Cleartel states its intention to provide additional notice as required by the respective state regulatory commissions. Finally, Cleartel states that it is non-dominant with respect to the services it proposes to discontinue.

In accordance with section 63.71(c) of the Commission's rules, Cleartel's application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies Cleartel that the grant will not be automatically effective. In Cleartel's application, Cleartel indicates that it anticipates discontinuing service to its customers in Connecticut on January 12, 2007, and to its customers in Ohio on January 16, 2007, or as soon thereafter as the necessary governmental approval can be obtained. Accordingly, pursuant to section 63.71(c) and the terms of the application, absent further Commission action, Cleartel, may terminate service to its affected customers on **January 12, 2007** for those customers in Connecticut and **January 16, 2007** for those customers in Ohio. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **December 20, 2006**. Such comments should refer to **WC Docket No. 06-213** and **Comp. Pol. File No. 771**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the

Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or John Adams, (202) 418-0394 (voice), john.adams@fcc.gov of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

-FEDERAL COMMUNICATIONS COMMISSION-